

PLANNING COMMISSION MEETING MINUTES

On this the 18th day of February 2015, the Planning Commission of the City of Rosenberg, Fort Bend County, Texas, met in a regular meeting at the Rosenberg City Hall Council Chamber, 2110 4th Street, Rosenberg, Texas 77471.

COMMISSIONERS PRESENT

Pete Pavlovsky	Planning Commission Chairperson
Lester Phipps, Jr.	Planning Commission Vice Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

STAFF PRESENT

Cynthia McConathy	Councilor, At Large Position Two
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Janet Eder	Secretary II

OTHERS PRESENT

Mary M. McKenzie	Hovis Surveying Company
Christian Lentz	Kendig Keast Collaborative
Laura Walker	Kendig Keast Collaborative
Les Kilday	Kilday Operating LLC
Dick Kilday	Kilday Operating LLC

CALL TO ORDER

Chairperson Pavlovsky called the meeting to order at 4:01 p.m.

AGENDA

1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF JANUARY 21, 2015.

Action Taken: Commissioner Casias moved, seconded by Commissioner Parsons, to approve the minutes of the Regular Planning Commission Meeting of January 21, 2015, as written. The motion carried unanimously.

2. HOLD PUBLIC HEARING ON A SHORT FORM FINAL PLAT OF BRAZOS PLAZA PARTIAL REPLAT NO. 2, A SUBDIVISION OF 2.5532 ACRES OF LAND OUT OF THE ROBERT E. HANDY SURVEY, ABSTRACT NUMBER 187 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS BEING A REPLAT OF RESTRICTED RESERVE "C" BRAZOS PLAZA SLIDE NO. 20070179 P.R.F.B.C. & BEING A REPLAT OF RESTRICTED RESERVE "F" BRAZOS PLAZA PARTIAL REPLAT NO. 1 SLIDE NO. 20110039 PLAT RECORDS, FORT BEND COUNTY, TEXAS; CONTAINING 1 RESERVE AND 1 BLOCK.

Executive Summary: The Short Form Final Plat of Brazos Plaza Partial Replat No. 2 is a proposed replat consisting of 2.5532 acres and only one (1) commercial reserve. The property is located on the north side of US59/ I-69, slightly southwest of its intersection with Reading Road. The tract is in the City Limits and in the West Fort Bend Management District (District) and therefore will be subject to the District's standards when developed.

Because this is a replat of a previous subdivision, a public hearing is required per state law and the City's "Subdivision" Ordinance. That being said, staff recommends holding the hearing prior to the Planning Commission taking action on the Plat in a subsequent Agenda item.

Chairperson Pavlovsky opened the public hearing at 4:01 p.m. After three calls for speakers, no one stepped forward. Chairperson Pavlovsky closed the public hearing at 4:01 p.m.

3. **CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF BRAZOS PLAZA PARTIAL REPLAT NO. 2, A SUBDIVISION OF 2.5532 ACRES OF LAND OUT OF THE ROBERT E. HANDY SURVEY, ABSTRACT NUMBER 187 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS BEING A REPLAT OF RESTRICTED RESERVE "C" BRAZOS PLAZA SLIDE NO. 20070179 P.R.F.B.C. & BEING A REPLAT OF RESTRICTED RESERVE "F" BRAZOS PLAZA PARTIAL REPLAT NO. 1 SLIDE NO. 20110039 PLAT RECORDS, FORT BEND COUNTY, TEXAS; CONTAINING 1 RESERVE AND 1 BLOCK.**

Executive Summary: As discussed in the prior agenda item, the Short Form Final Plat of Brazos Plaza Partial Replat No. 2 is a proposed replat consisting of 2.5532 acres and only one (1) commercial reserve. The property is located on the north side of US59/I-69, slightly southwest of its intersection with Reading Road. The tract is in the City Limits and in the West Fort Bend Management District (District) and therefore will be subject to the District's standards when developed. It has frontage on US59/I-69, but will only have access from Industrial Parkway.

The purpose of the replat in this case is simply to remove a property line between two (2) reserves, creating one (1) reserve instead of two (2). It has been submitted as a Short Form Final Plat, eliminating the necessity to submit a Preliminary Plat, because it does not require the extension of any streets or utilities. There being no issues in conflict with the "Subdivision" Ordinance, staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Brazos Plaza Partial Replat No. 2.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias to recommend approval to City Council of the Short Form Final Plat of Brazos Plaza Partial Replat No. 2, a subdivision of 2.5532 acres of land out of the Robert E. Handy Survey, Abstract Number 187 City of Rosenberg, Fort Bend County, Texas being a replat of Restricted Reserve "C" Brazos Plaza Slide No. 20070179 P.R.F.B.C. & being a replat of Restricted Reserve "F" Brazos Plaza Partial Replat No. 1 Slide No. 20110039 Plat Records, Fort Bend County, Texas; containing 1 reserve and 1 block. The motion carried unanimously.

4. **REVIEW AND DISCUSS A PRESENTATION BY KILDAY OPERATING, LLC, REGARDING CAMPANILE AT SEABOURNE CREEK, AND TAKE ACTION AS NECESSARY.**

Executive Summary: Les Kilday of Kilday Operating, LLC, has requested the opportunity to have a discussion with the Planning Commission regarding a proposed senior, multi-family development to be located off of Reese Road between I-69 and FM 2218. A vicinity map is attached for reference. The property consists of approximately 9.8 acres for which 132 units are proposed.

As of the time of this report, only the attached preliminary site plan has been provided; a more detailed site plan would be required at a later time for staff to review. The proposal would meet the City requirement of having no more than fourteen (14) units per acre. However, it would not meet the parking requirement beginning at four (4) spaces per unit. The ordinance does not distinguish between parking for standard and senior multi-family developments likely because, absent a development agreement, the City cannot restrict the age of residents within a development; therefore there would likely have to be a Planned Unit Development (PUD) agreement in place for the development to go forward. Such an agreement would require input from the Planning Commission and approval by City Council. It should also be noted that the property falls within the boundaries of the West Fort Bend Management District (District) and therefore would be subject to the District's standards.

The developer will be requesting a resolution of support for the project from City Council and requests feedback from the Planning Commission at this time. This would be a "tax credit" project through the Texas Department of Housing and Community Affairs, similar to Brazos Senior Villas located at 5801 Reading Road.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Mr. Tanner introduced Les Kilday of Kilday Operating, LLC.
- Mr. Kilday stated that Kilday Operating Company is family-owned, and that the Company has been in business for over 40 years. The Kilday's are partner developers, with 20 years' experience in tax credit development. The Kildays have developed, owned and/or consulted various cities with family and senior-only developments. Mr. Kilday explained that the purpose for attending the Planning Commission meeting was to propose a development for the Rosenberg area. Kilday Operating Company owns Brazos Senior Villas, a senior development, located at FM 2218 and Reading Road. Brazos Senior Villas began leasing

in 2012, and the community has been full for two years, with a waiting list of future residents. Due to the demand for senior living in the area, Kilday Operating Company proposes another development similar to Brazos Senior Villas. Mr. Kilday explained that the Tax Credit Program is a Treasury Department initiative, a partnership between the public and private sector. The tax credit partnership will help provide a large amount of equity for the development, which in turn will allow the opportunity to provide below market rents. Mr. Kilday stated that the development will have different structures based on income. Some units will be restricted rents, as others will be market rents. The community will include a total of 132 units, 120 restricted rents and 12 proposed market rents. The housing will be considered affordable housing for seniors only, 55 and above, with limited income. Mr. Kilday explained that many seniors have a fixed income, either social security, pension or state funding, which allow the seniors to qualify for the development. Mr. Kilday stated that the Tax Credit Program is not a tax exemption, and that Kilday will not be asking for any type of tax exemption. Kilday will pay for full taxes.

- Chairperson Pavlovsky inquired about restricted rent.
- Mr. Kilday replied that rent is based on the median rent of the County and rent will be at different levels.
- Mr. Kilday explained that the community, a senior development is located on Reese Road, west of FM 2218. The development includes 132 units for seniors-only, 55 and above. There are five single-story cottages with attached garages located off Danziger and Reese Roads, and two-story units which include elevators, service parking and garages located in the middle of the development. Mr. Kilday stated that this development is designed for seniors-only and no children.
- Mr. Kilday reported that there are 80 one-bedroom/one bath units and 52 two-bedroom/two-bath units. The income range is \$14,000 - \$35,000, depending on the number of people living in the unit.
- Mr. Kilday reported that primarily brick and Hardiplank are used in the development. Amenities include a clubhouse, business center with computers and fax machines, fitness center, energy efficient appliances and extensive landscaping. A private van will be provided to transport seniors to medical appointments, shopping and outings, since many do not own a vehicle. In addition to affordable housing at below market rates, the community will provide a residence where seniors can live close to family and friends, but still live independently. The development will provide an affordable residence without the responsibility of maintaining a home.
- Mr. Kilday reported that approximately \$85,000 in taxes are projected annually. There will not be any impact to area schools, since the development is a senior community with little turnover.
- Mr. Poldrack inquired about wheelchair accessibility and ADA requirements.
- Mr. Kilday explained that not all units are wheelchair accessible, just a select few.
- Commissioner Poldrack inquired about the percentage of units that comply with ADA requirements.
- Mr. Kilday replied, 5% for handicap and 2% for site and hearing impaired.
- Mr. Kilday stated that a limited number of units meet ADA requirements.
- Commissioner Poldrack inquired about the development as a whole and the percentage of the community that will be compliant with ADA requirements.
- Mr. Kilday stated that all one-bedroom apartments will have roll-in showers and the two-bedroom apartments will have roll-in showers and regular showers.
- Commissioner Poldrack inquired about the market ratio on the Reading Road project.
- Mr. Kilday replied that none are at market ratio.
- Commissioner Poldrack inquired about no children.
- Mr. Kilday replied that the person leasing must be 55 and above. Management does not allow children to live at the community, only visit for limited periods of time.
- Commissioner Poldrack inquired about how the management company polices the no children policy.
- Mr. Kilday replied that management and residents alike police the community.
- Councilor McConathy asked if management personnel will live on-site.
- Mr. Kilday replied that the community does not have plans for management to live on site, however some other Kilday developments do. Mr. Kilday stated that this issue has not been discussed with the management company, but it could be addressed. A 24-hour emergency number will be available for residents living in the community.
- Commissioner Poldrack inquired about the 24-hour emergency number.
- Mr. Kilday stated that accommodations could be made to have management live at the community if a need arises.
- Commissioner Poldrack stated having 24-hour management available on site would be beneficial.
- Mr. Kilday agreed with Commissioner Poldrack's suggestion.
- Mr. Kilday stated that the community is designed for independent living, not assisted, and that emergency pull cords would be installed in the units.
- Commissioner Poldrack inquired about where residents are coming from.

- Mr. Kilday replied that residents are family, friends and relatives who live in the general area, including Rosenberg, Richmond and Sugar Land.
- Commissioner Poldrack inquired if Sugar Land had a facility similar to the Kilday development.
- Mr. Kilday replied that Sugar Land does not have a Kilday development.
- Commissioner Poldrack inquired about developments in Stafford and Missouri City.
- Mr. Kilday replied that there are a few senior developments in Missouri City, but none of the developments are owned by Kilday. Kilday owns and operates one facility in Friendswood off 528 and another facility off Beechnut and Eldridge in Houston. Residents are typically age 70 and single. A few couples reside at the facility.
- Chairperson Pavlovsky inquired about the comparison between Brazos Senior Villas and Campanile at Seabourne Creek.
- Mr. Kilday replied that Campanile at Seabourne Creek is almost identical to Brazos Senior Villas. Brazos Senior Villas has 80 units on a 5-acre site, where Campanile at Seabourne Creek has 132 units on a 10.3-acre site.
- Commissioners Parsons commented on the size of the facility and on-site management.
- Mr. Kilday stated that management has not experienced any problems with enforcing no children, since that can be regulated and is not considered discrimination. This development offers Class A living, with Class B rent. Residents who moved into Brazos Senior Villas are parents of children living in the Rosenberg, Richmond and Sugar Land areas. Most units stay at 100% capacity with very little turnover. The possibility of getting underbooked is absolutely zero. There is a huge demand for senior living because of the peaceful environment.
- Commissioner Casias complimented Mr. Kilday on Brazos Senior Villas.
- Chairperson Pavlovsky inquired about action required on the project.
- Mr. Tanner replied by asking for Commissioners' input on general direction for a development agreement as a future agenda item.
- Commissioner Poldrack inquired about the development agreement and if the agreement would keep the development seniors only, and not a regular apartment.
- Mr. Tanner replied that a provision could be included in the development agreement.
- Mr. Kilday stated that the recorded restrictions on the property must include a provision stating that the facility remain a senior living development for 35 years.
- Chairperson Pavlovsky asked Mr. Kilday for his address for record purposes.
- Mr. Kilday replied that he resides in Greatwood, 7015 Glenwood Drive, Sugar Land, Texas 77479.
- Mr. Tanner reported that this project will require a development agreement because of City ordinances pertaining to multi-family living. Since this is a tax credit project, Kilday will be requesting a Resolution of Support from City Council. City staff felt as though it would be appropriate to first come before the Planning Commission prior to presenting to City Council for a formal request to the City.

No action taken.

5. CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS AND STAFF REPORT REGARDING THE FOLLOWING:

- **FOURTH QUARTER 2014 RESIDENTIAL DEVELOPMENT REPORT**
- **FACILITIES ASSESSMENT**

Executive Summary: The Staff Report of Current Activities consists of projects that staff is currently working on as well as other updates that are relevant to the Planning Commission. This item also allows the Planning Commission the opportunity to request that items be placed on future agendas.

For this item, staff has provided a report of Fourth Quarter 2014 Single-Family Residential Development. Additionally, per a request from the Commission, at the meeting staff will provide a brief update of the facilities assessment currently being undertaken by the City.

Key Discussion:

- Mr. Tanner presented the item and provided an update on the Fourth Quarter 2014 Single-Family Residential Development.
- Mr. Tanner provided a brief statement regarding the facilities assessment the City has undertaken based on information provided by Jeff Trinker, the City's project manager for the facilities assessment.
- Commissioner Poldrack asked if any action has been taken on the street width.
- Mr. Tanner replied that the street width issue has been addressed with developers and it is being

considered as part of the Comprehensive Plan and Thoroughfare Plan. Mr. Tanner stated the street width issue could be discussed in more detail at the March Planning Commission Meeting.


No action taken.

6. ANNOUNCEMENTS.

There were no announcements.

7. ADJOURNMENT.

There being no further business, Chairperson Pavlovsky adjourned the Rosenberg Planning Commission meeting at 4:36 p.m.



Janet Eder
Secretary II